

**THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Authority*

In re:

20230930-DK-BUTTERFLY-1, INC., f/k/a BED  
BATH & BEYOND INC., *et al.*,

Debtors.

MICHAEL GOLDBERG, as Plan Administrator for  
20230930-DK-BUTTERFLY-1, INC., f/k/a Bed Bath  
& Beyond Inc.,

Plaintiff,

v.

NEW JERSEY ECONOMIC DEVELOPMENT  
AUTHORITY,

Defendant.



Order Filed on May 19, 2025  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No. 23-13359 (VFP)

(Jointly Administered)

Adv. No. 24-01443-VFP

**ORDER DENYING PLAINTIFF'S MOTION  
FOR LEAVE TO FILE AN AMENDED COMPLAINT**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

**DATED: May 19, 2025**

Honorable Vincent F. Papalia  
United States Bankruptcy Judge

Upon the motion (the “Motion”) of Plaintiff, Michael Goldberg, as Plan Administrator for 20230930-DK-BUTTERFLY-1, Inc., f/k/a Bed Bath & Beyond Inc. (“Plaintiff”), in the above-captioned adversary proceeding (the “Adversary Proceeding”), for an order granting Plaintiff leave to file an amended complaint against Defendant, New Jersey Economic Development Authority (“NJEDA”), pursuant to Federal Rule of Civil Procedure 15(a)(2), made applicable to these proceedings by Federal Rule of Bankruptcy Procedure 7015; and having reviewed the Motion and all papers filed in opposition thereto and in connection therewith; and after an opportunity for a hearing on the Motion that took place on May 13, 2025 (the “Hearing”); and it appearing that due and adequate notice of the Motion having been given to all parties entitled thereto and no other or further notice is necessary;

**IT IS HEREBY ORDERED** as follows:

1. The Motion is DENIED with prejudice on the grounds stated on the record at the Hearing.
2. The Adversary Proceeding is hereby dismissed with prejudice.